

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL MAROM,

Plaintiff,

v.

AUDREY PIEROT and MARK GORDON,
Defendants.

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DATE FILED: 2/4/20

ORDER

18 CV 12094 (VB)

On January 16, 2020, Magistrate Judge McCarthy issued a Report and Recommendation respecting defendants' motions to dismiss; plaintiff's motions for default judgment, summary judgment, and to file additional documents; and defendant Gordon's motion for an extension of time to respond to and enforce the state court stipulation. (Doc. #62).

On January 29, 2020, the Court extended all parties' deadlines to file objections to the Report and Recommendation to February 21, 2020. (Doc. #64).

On January 31, 2020, plaintiff, proceeding pro se, submitted objections to the Report and Recommendation and a proposed amended complaint with exhibits. In his submission, plaintiff says he "elected to amend the complaint," and in so doing, the Report and Recommendation may be moot as "there is no need to raise objecti[ons] and to burden the court to read twice the same arguments."

The Court will not consider plaintiff's proposed amended complaint until after the Court has ruled on any objections to the Report and Recommendation. Accordingly, the Clerk is directed to return the proposed amended complaint and its attached exhibits to plaintiff.

However, the Court will accept for filing plaintiff's objections to the Report and Recommendation. Defendants' response, if any, to plaintiff's objections, is due February 18, 2020. No extensions will be permitted.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

The Clerk is instructed to mail a copy of this Order to all parties at their addresses on the docket.

Dated: February 4, 2020
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge